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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIAM WITTER,

Petitioner,

vs.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:20-cv-00345-APG-WGC

MOTION FOR ENLARGEMENT OF TIME
(FIRST REQUEST)

Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, hereby respectfully move this Court for an order granting an enlargement of time to file a response to Witter's petition for writ of habeas corpus, giving Respondents a reasonable amount of time to respond to the petition pending resolution of the motion for reconsideration that Respondents file contemporaneously with this motion.

This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and other materials on file herein.

This is Respondents' first request for an enlargement regarding this response.

RESPECTFULLY SUBMITTED this 11th day of January, 2021.

AARON D. FORD
Attorney General

By: /s/ Jeffrey M. Conner
JEFFREY M. CONNER (Bar. No. 11543)
Deputy Solicitor General

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DECLARATION OF COUNSEL

I, JEFFREY M. CONNER, declare under penalty of perjury:

1. I am an attorney employed by the Office of the Attorney General of the State of Nevada, and I make this declaration on behalf of Respondents' motion for enlargement of time in the above-captioned matter.

2. By this motion, I am requesting an enlargement of time to file a response to Witter's petition for writ of habeas corpus, giving Respondents a reasonable amount of time to respond to the petition pending resolution of the motion for reconsideration that Respondents file contemporaneously with this motion. This is Respondents' first request for an enlargement regarding this response.

3. Contemporaneously with the filing of this motion, Respondents are filing a motion for reconsideration, requesting that this Court refer Witter's petition to the Ninth Circuit to resolve the question whether Witter's petition is an unauthorized second or successive petition. Accordingly, Respondents respectfully request that this Court issue an order Respondents an extension of time to comply with this Court's order directing a response to the petition in full, giving Respondents a

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1 reasonable time to respond to the petition pending resolution of Respondents' motion for reconsideration.
2 ECF No. 15.

3 4. I contacted opposing counsel, Assistant Federal Defender Stacy M. Newman, regarding
4 this request, and she indicated she has no objection to Respondents' request for additional time to file a
5 response to the petition.

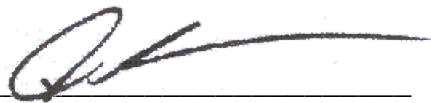
6 5. This motion for enlargement of time is made in good faith and not for the purpose of
7 unduly delaying the ultimate disposition of this case.

8 I declare under penalty of perjury that the foregoing is true and correct.

9 By: /s/ Jeffrey M. Conner
10 JEFFREY M. CONNER (Bar. No. 11543)
Deputy Solicitor General

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12 IT IS SO ORDERED:

13 Dated: January 12, 2021

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15 ANDREW P. GORDON
16 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 11th day of January, 2021, I served a copy of the foregoing **MOTION FOR ENLARGEMENT OF TIME (FIRST REQUEST)**, by U.S. District Court CM/ECF electronic filing to:

Stacy Newman
David Anthony
Assistant Federal Public Defenders
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Las Vegas, Nevada 89101
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David_anthony@fd.org

/s/ Amanda White